



United States Department of State

Washington, D.C. 20520

March 15, 2019

Case No. F-2017-15758

Segment: S/ES-S-0005

Campaign for Accountability
611 Pennsylvania Avenue SE, #337
Washington, DC 20003

Dear Mrs. O'Connor:

I refer to our letter dated December 18, 2018, regarding the release of certain Department of State ("Department") records under of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The Department has retrieved five additional documents responsive to your request. After reviewing these documents, we have determined that three may be released in full, one may be released in part, and one must be withheld in full.

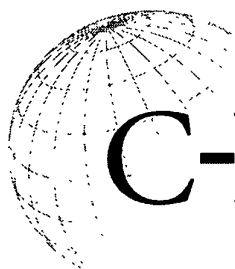
An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document. All non-exempt material that is reasonably segregable from the exempt material has been released. The document that was withheld in full was withheld under FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

The processing of your request remains ongoing. If you have any questions, your attorney may contact Assistant U.S. Attorney Marina Braswell, at Marina.Braswell@usdoj.gov or (202) 252-2561. Please refer to Civil Action Number 18-0464 and FOIA case number F-2017-15758 in all correspondence regarding this case.

Sincerely,

Susan C. Weetman
Chief, Programs and Policies Division
Office of Information Programs and Services

Enclosures: As stated



RELEASE IN FULL

C-Fam | CENTER FOR FAMILY
& HUMAN RIGHTS
NEW YORK · WASHINGTON DC

ADMINISTRATION'S BUDGET REGARDING FAMILY PLANNING FUNDING - TALKING POINTS

Introduction: The Trump administration has changed the U.S. approach to family planning in three key ways: 1) reinstating and expanding the Mexico City Policy, 2) cutting funding to the United Nations Population Fund (UNFPA), and 3) proposing an overall spending cut to family planning in the budget.

While these decisions are defensible, the powerful family planning lobby claims these changes will 1) lead to increased maternal and child deaths, and 2) fail to increase abortion in recipient countries.

These claims can be rebutted. Moreover, it can be demonstrated that the previous administration focused inordinately on preventing pregnancy and childbirth at the expense of safe motherhood. It can be further demonstrated that the new Trump policies are a positive step in supporting mothers and their children and deserves the full support of Congress.

Finally, the administration could further advance its global leadership in this area by redirecting funds to maternal and child health initiatives that save lives where the need is greatest.

The Mexico City Policy: drawing a clear separation between abortion and health care

Abortion proponents charge that the México City Policy (MCP) and the defunding of other family planning groups will endanger women's health and prevent the provision of healthcare services to people in need. In particular, they charge these new policies will prevent some 225 million women in developing countries from having access to family planning. Some have even argued that the MCP limits free speech. These arguments are false.

- A single study from Stanford University in 2011¹ is frequently cited to suggest that countries exposed to the MCP have higher levels of "unsafe" abortion. C-Fam analysis by Lucia Muchova, however, finds significant gaps in the data that was used in the study, as well as other flaws in the study's methodology.²
- Defunding abortion groups through the MCP is already achieving the objective of weaning abortion groups off American taxpayer support. European countries, such as those in the "She Decides" initiative, have already stepped in to make up the shortfall. What is more, the European Commission has dismissed claims that the U.S. ban has a "chilling effect" on European funding of abortion.³
- The free speech question was raised in a lawsuit against President George W. Bush in 2002, in which the pro-abortion groups lost. In her ruling, now-Supreme Court associate

justice Sonia Sotomayor found that the government “is free to favor the anti-abortion position over the pro-choice position” with public funds.

Defunding UNFPA: a logical extension of U.S. policy

In addition to UNFPA’s partnership with the family planning section of China’s government, a compelling argument in favor of defunding UNFPA is the fact that the agency continues to work with abortion-providing organizations that are precluded from receiving U.S. support under the Mexico City Policy. Furthermore, UNFPA has signaled its support for the “She Decides” campaign that was created explicitly to counteract the U.S. policy. Continuing to fund UNFPA would undermine the policy’s effectiveness and send an unclear message.

Reconsidering the level of U.S. support for family planning

The most frequently cited justification for sustaining or increasing family planning funds is the figure of 225 million women with an “unmet need” for family planning. This number is often misconstrued and misunderstood: only about 5% of those women cite cost or lack of access as the reason for not using contraceptives. Instead, most point to personal opposition, concern about health risks, or infrequent sex.⁴ If the goal of the U.S. is to meet existing demand for family planning products or services, the level of spending should be recalculated to reflect actual demand, not the paternalistic and inflated notion of “need” created as an advocacy construct by the very family planning groups that would benefit from increased funding.

Saving real lives by increasing equity in global health

Keep in mind, the goal should be making it safer to be pregnant and to give birth. Our own experience in the United States is that maternal deaths declined dramatically with the improvement and expansion of basic health care most especially the widespread provision of penicillin.

The family planning lobby, however, believes that the most cost-effective way to save lives is by preventing pregnancy rather than making pregnancy and delivery safer. They express the impact of contraception in terms of maternal and child lives saved. They claim to most clearly show this where the provision of basic medical care is most lacking. Women and children are not dying from lack of contraception. They are dying due to lack of medical care. Our goal in public policy ought to be helping that woman and her child in a refugee tent receive basic medical care, just like we do. We should not be telling the woman that she should have avoided pregnancy and motherhood altogether until she reached a country with better medical care.

The U.S. has the opportunity to take leadership in making pregnancy and birth safe and not just rare. Interventions that save the lives of mothers and children are well known, but unequally distributed. Family planning groups argue that if they receive increased funding, the result will be a decrease in the need for maternal and child health spending⁵ This is based on the assumption that demand for family planning already exists, or can be created for the cost of procuring

supplies. This is not supported by the evidence. Rather than justifying cuts to maternal and child health, the administration could send a strong message that a safe birth should be accessible to all, regardless of the intendedness of the pregnancy.

The importance of American moral leadership

Many of the policies that restrict abortion at home and abroad reflect a belief that abortion is the taking of an innocent human life. The Mexico City Policy expands the Helms Amendment's provisions that the U.S. will not promote abortion and it asserts that we will not fund groups that do so, precisely because the act is so morally repugnant. Defunding UNFPA is a logical extension of this policy. Reconsidering funding for family planning based on actual demand is fiscally responsible, especially when paired with a redirection of funds to maternal and child health interventions that will save the lives of real pregnant women and their babies.

¹ Bendavid E, Avila Patrik, Miller G. United States aid policy and induced abortion in sub-Saharan Africa. Bulletin of the World Health Organization, Sept. 27, 2011

² https://c-fam.org/young_scholar/lucia-muchova/

³ Kristalina Georgieva, Answer on Behalf of Parliament, EUROPEAN PARLIAMENT (July 17, 2012), <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-005386&language=EN>. See also Susan Yoshihara, Abortion and the Laws of War: Subverting Humanitarianism by Executive Edict, 9 U. St. Thomas J.L. & Pub. Pol'y 1 (2014).

⁴ Hussain R et al., Unmet Need for Contraception in Developing Countries: Examining Women's Reasons for Not Using a Method, New York: Guttmacher Institute, 2016. See also Oas, R. (2016) Is There an 'Unmet Need' for Family Planning? The New Atlantis. 49:61-76.

⁵ http://www.unfpa.org/sites/default/files/styles/large/public/UNFPA_Guttmacher_Infographic_20141124-01.png

Figueroa, Priscilla C

From: Cocciolone, Michael J
Sent: Tuesday, July 25, 2017 9:01 AM
To: Enos, Olivia; O'Neill, Catharine P
Subject: RE: E Intro

RELEASE IN FULL

Olivia,

That sounds perfect! I will see you then! ☺

Best,
Michael

Official - Transitory
UNCLASSIFIED

From: Enos, Olivia [<mailto:Olivia.Enos@heritage.org>]
Sent: Monday, July 24, 2017 4:35 PM
To: Cocciolone, Michael J; O'Neill, Catharine P
Subject: RE: E Intro

Hi, Michael!

I could meet next Thursday, July 3rd at 2 pm at Heritage. If this works, I look forward to seeing you then.

Best,

Olivia

Olivia Enos
Policy Analyst
Asian Studies Center Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-548-6815
heritage.org

From: Cocciolone, Michael J [<mailto:CoccioloneMJ@state.gov>]
Sent: Monday, July 24, 2017 3:35 PM
To: Enos, Olivia <Olivia.Enos@heritage.org>; O'Neill, Catharine P <ONEillCP@state.gov>
Subject: RE: E Intro

Good afternoon Olivia,

No problem with the delayed reply. I hope you enjoyed your time in Korea!!

I can make myself available any day. Tuesday or Thursday afternoon would be best though. Would 2pm either day at your office be convenient for you?

Best regards,
Michael

Official - Transitory
UNCLASSIFIED

From: Enos, Olivia [<mailto:Olivia.Enos@heritage.org>]
Sent: Monday, July 24, 2017 2:23 PM
To: Cocciolone, Michael J; O'Neill, Catharine P
Subject: RE: E Intro

Catharine – thank you for the kind introduction.

Michael –

I apologize that it took me so long to respond. I was in Korea and just returned back to the States. I would be happy to talk about my work on China's coercive population control measures. Do you have availability either this week or the next for a meeting? I'm happy to be of any help that I can be on these issues.

Best,

Olivia

Olivia Enos
Policy Analyst
Asian Studies Center Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-548-6815
heritage.org

From: Cocciolone, Michael J [<mailto:CoccioloneMJ@state.gov>]
Sent: Wednesday, July 19, 2017 12:18 PM
To: O'Neill, Catharine P <ONeillCP@state.gov>; Enos, Olivia <Olivia.Enos@heritage.org>
Subject: RE: E Intro

Hello Olivia,

I attended the Heritage presentation back in March where Representative Smith, Zhang Yue and others spoke about China's coercive birth policies. I believe you sat on a panel at that event and you discussed some of your research. I'm sure you are very proud that a recommendation from your report, "An Economic and Humanitarian Case for Pressing China to Rescind the Two-Child Policy," has been accepted and that all U.S. contributions to the UNFPA have been cut!

I'd like to talk with you about other aspects of your report to determine if there are diplomatic tools that I can recommend to my leadership to help eliminate coercive family planning. Please let me know if you have any availabilities within the next few weeks to discuss.

I'm going on active duty orders starting in October and will be gone for about a year, so I am hoping to accomplish as much as possible before I leave.

Best regards,
Michael

MICHAEL COCCIONE

U.S. Department of State * Bureau of Democracy, Human Rights, and Labor
Foreign Affairs Officer * Desk: 202-647-3026 * CoccioloneMJ@state.gov
www.HumanRights.gov

Official - Transitory
UNCLASSIFIED

From: O'Neill, Catharine P
Sent: Wednesday, July 19, 2017 11:07 AM
To: Enos, Olivia
Cc: Cocciolone, Michael J
Subject: E Intro

Hi Olivia!

I hope all is well. I'd like to introduce you to my colleague, Michael. He's a Navy Intel Officer assigned to DRL/EAP doing some awesome work. He wanted to reach out for your guidance on a few things.

Best,
Catharine

Catharine O'Neill
Staff Assistant
Office of the Under Secretary
Civilian Security, Democracy, and Human Rights
U.S. Department of State
202.647.7512 (office) 202.230.0567 (cell)

Official
UNCLASSIFIED

Figueroa, Priscilla C

From: Frideres, Taryn F
Sent: Tuesday, September 05, 2017 10:11 AM
To: Talento, Kathryn F. EOP/WHO
Subject: RE: UNFPA statement
Attachments: Revised DRAFT of BBs for US Nat'l Stmt UNFPA ExBd Sept 2017 incl PRM + S....docx

RELEASE IN PART
B6

Yes -- the attached incorporates edits from Maggie and I (plus they are supposed to change "partnership" to "collaboration" in the "Family Planning" paragraph). If you have any concerns, let me know. It was quite the process getting to this point, FYI.

-----Original Message-----

From: Talento, Kathryn F. EOP/WHO [<mailto:Kathryn.F.Talento>]
Sent: Tuesday, September 5, 2017 10:02 AM
To: Frideres, Taryn F <FrideresTF@state.gov>
Subject: UNFPA statement

B6

Hey there, is there some statement we did today about UNFPA? Can you send over? Thanks!

Official

UNCLASSIFIED